

REMARKS

Applicants respectfully requests favorable reconsideration of this application, as amended.

Applicants note that Claim 12 has been withdrawn from consideration as being directed to a non-elected invention. *See*, Office Action at Page 2.

Claims 1–9 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite. In response, Claim 1 has been amended for clarity, as suggested by the Office Action (Page 2). No new matter has been added, and Applicants respectfully submit that the indefiniteness rejection has been overcome.

Claims 1–9 were finally were rejected under 35 U.S.C. § 103(a) as being unpatentable over Xuan (US 6,744,009) or KR 2002 0009070 (hereinafter "KR '070") in view of Slatkine (US 2004/036975 A1), Claims 6 and 7 were finally rejected as being unpatentable over Xuan or KR 2002 0009070 in view of Slatkine and in further view of Hoekstra (US 6,489,588), and Claim 9 was finally rejected as being unpatentable over Xuan or KR 2002 0009070 in view of Slatkine and in further view of Kim (US 2003/052098 A1). Applicants respectfully traverse.

The Office Action admits that neither Xuan nor KR 070 discloses a plane irradiation density in a range of 0.05-2 joule/mm² on an irradiation area of 20-200 mm², as recited by Claim 1, and cites Slatkine in support. *See*, Office Action at Pages 3–4. Applicants submit that Slatkine fails to cure the deficiencies of Xuan and KR '070.

Slatkine discloses "an eye safe laser" that measures the radiance of the divergent monochromatic light and issues a warning if the measured radiance is greater than a predetermined safe value. *See*, e.g., Abstract. Slatkine's laser unit 10 includes a diffusing unit 15 that "induces the exit beam to be scattered" and "allows the light which exits diffusing unit 15 to be safe to the eyes of a bystander, yet is provided with a sufficiently high energy density which is necessary for the clinical efficacy of the laser unit" (Paragraph 0129).

Slatkine fails to disclose an irradiation area of 20-200 mm², as recited by Claim 1. Instead, Slatkine discloses that his "spot size ranges from 1 to 20 mm" (Paragraph 0055). Consequently, Slatkine fails to disclose the claimed irradiation area.

Slatkine also fails to disclose a plane irradiation density in a range of 0.05-2 joule/mm², as recited by Claim 1. While Slatkine's laser unit 10 emits an "energy density of 0.01-200 J/cm²" (Paragraph 0129), this energy is scattered by diffusing unit 15, and Slatkine fails to disclose the actual irradiation density delivered to the patient. Furthermore, Slatkine's "eye-safe laser beam ... is suitable for correcting aesthetic and medical skin disorders" (Paragraph 0001), and, as such, only delivers a limited amount of energy to the patient. Slatkine fails to teach (or even suggest) that this limited amount of energy could be applied to generating a scribe line, having a definite and clear cross-section, in a glass plate. Consequently, Slatkine fails to disclose the claimed plane irradiation density.

While Slatkine discloses "etching the surface of a glass plate with a scanned focus CO₂ laser beam" in Paragraph 0153, as noted by the Office Action (Page 3), this CO₂ laser beam is described as one way to produce Slatkine's diffusively transmitting element 15, and, as such, is entirely unrelated to Slatkine's "eye safe laser." Accordingly, such disclosure bears little weight in the context of the Office Action's obviousness rejection.

Consequently, neither Xuan, KR 2002 0009070 nor Slatkine, taken either singly or in combination, teaches or suggests all of the features recited by Claim 1. Moreover, none of the remaining references cure the deficiencies of these references.

Accordingly, Claim 1 is allowable over the cited references. Furthermore, Claims 2–9, depending from Claim 1, are also allowable, at least for the reasons discussed above. Applicants also submit that the cited references fail to teach or suggest many of the features recited by the dependent claims, and, consequently, that these claims are independently allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-2036.

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Respectfully submitted,

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